

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

TROY E. TILLERSON,

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Plaintiff,

*

vs.

CASE NO. 3:05-cv-985-MEF

THE MEGA LIFE AND HEALTH
INSURANCE CORPORATION, a
corporation; TRANSAMERICA LIFE
INSURANCE COMPANY F/K/A PFL
LIFE INSURANCE COMPANY, a
corporation; NATIONAL ASSOCIATION
FOR THE SELF EMPLOYED A/K/A
NASE, a corporation,

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Defendants.

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**JOINT MOTION FOR EXTENSION
OF CERTAIN DEADLINES IN SCHEDULING ORDER**

COME NOW, all of the parties, by and through their respective undersigned counsel, and jointly request that the Court extend certain deadlines contained in the Uniform Scheduling Order for this case, and in support hereof state as follows:

1. On May 23, 2006, this Court entered a Uniform Scheduling Order outlining certain deadlines for this case (the "Scheduling Order"). The trial of this case is set for the civil trial term commencing on April 2, 2007 in Opelika, Alabama.
2. In the Scheduling Order, the deadline for filing any dispositive motions is November 15, 2006. The deadline for the close of all discovery is not until February 8, 2007.
3. The parties have been engaged in the discovery process for this case. However, additional depositions and follow-up written discovery, including third-party discovery, have not been completed. The parties have determined that they will not have sufficient time to complete

the discovery needed to fully evaluate whether any type of dispositive motion should be submitted and to prepare and file such a motion before the November 15 deadline for the filing of dispositive motions. The parties ask the Court to extend the dispositive motion deadline to a date after the close of all discovery, at which time the parties will have completed their discovery and will be in a better position to determine whether any motion to dismiss or motion for summary judgment would be appropriate.

4. Specifically, the parties request that the February 8, 2007 discovery deadline remain in effect and that the Court extend the deadline for the filing of any dispositive motions to March 19, 2007.

5. The parties also request that the Court accordingly extend the following pre-trial deadlines as suggested below:

<u>Description:</u>	<u>Date:</u>
Exchange of names, addresses and telephone numbers of all witnesses, except witnesses solely for impeachment purposes; identification of any part of a deposition or other document for use at trial; furnish opposing counsel all exhibits or tangible evidence for use at trial.	April 24, 2007
Pretrial Conference	May 17, 2007
Voir dire questions; motions in limine fully briefed; proposed jury instructions, with citations of law.	June 8, 2007

6. Finally, the parties request that the Court continue the trial date until the Court's next civil trial term, commencing on June 25, 2007.

7. The remaining deadlines in the Scheduling Order, such as those focused on expert designations and a settlement conference, are not the subject of this joint motion and should remain in full force and effect.

WHEREFORE, premises considered, the parties respectfully request that the Court amend its Scheduling Order to extend those specific deadlines addressed in this joint motion.

Date: October 12, 2006.

*This motion has been e-filed
with the express permission of:*

s/Steven W. Couch

STEVEN W. COUCH (COU014)
Attorney for Plaintiff

OF COUNSEL:

HOLLIS & WRIGHT, P.C.
505 North 20th Street, Suite 1500
Birmingham, Alabama 35203
(205) 324-3600
(205) 324-3636 (fax)

s/Pamela A. Moore

JAMES W. LAMPKIN II (LAMPJ7474)
PAMELA A. MOORE (MOORP5421)
Attorneys for Defendants

OF COUNSEL:

ALFORD, CLAUSEN & McDONALD, LLC
One St. Louis Centre, Suite 5000
Mobile, Alabama 36602
(251) 432-1600
(251) 432-1700 (fax)